

Chapter V

THE GRIBBLE YEARS

Before he left OCE in the summer of 1973, Colonel Werner observed that the main benefit derived from the Board was the opportunity to see members react to Corps actions and planning. "The EAB," in his words, "gives us a perspective we cannot otherwise gain so well."¹ Nevertheless, according to Colonel Werner, the Board would never become deeply engaged in any one subject because members' time was limited and their interests were diverse. Occasionally, however, individual members might become more actively involved in certain projects.² Werner accurately described the Board's limitations and virtues, for, while General Gribble in his first EAB meeting solicited the Board's continued advice and criticism, there was little doubt that its role would rarely extend beyond advisory responsibilities.

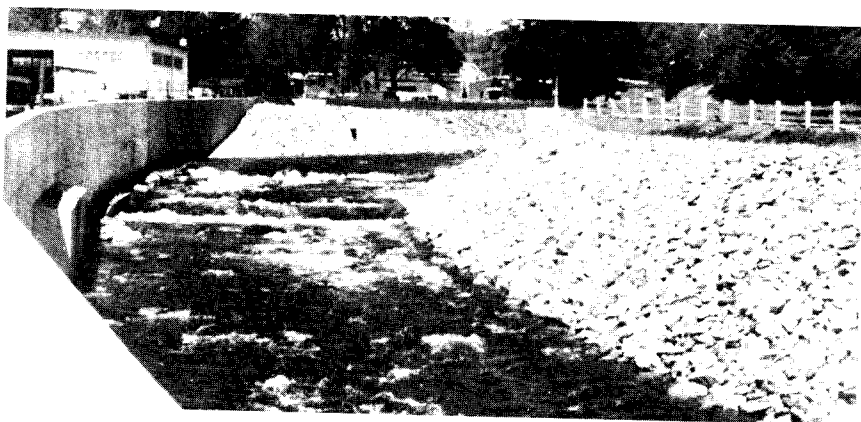
The Board, as Werner later indicated, did not always recognize the influence it had on the Chief. There were several reasons for this. First, its influence usually was reflected in the revision of policy, not in a new direction on a specific project. And once the policy was implemented, the results were not readily evident. A few Districts were simply unresponsive. Neither the creation of the EAB nor the changes in Corps philosophy had yet affected the thinking of some individuals. Even within OCE there was an "impermeable layer," as Colonel Werner put it, of employees unreconciled to new environmental considerations.³ Bureaucratic inertia, in short, precluded the possibility of quick change. Still, as Daniel A. Mazmanian and Jeanne Nienhaber have shown in their book *Can Organizations Change?*, the change in the Corps was quicker than in most water resources organizations. However, it was a change which could be appreciated only in retrospect.

There was no question either that the Chief's desire to meet new environmental goals made heavy demands on Corps personnel. In the November EAB meeting General Morris observed that NEPA had "broadened the Corps planning engineering base, but it has slowed down projects." As of November 1973 approximately 800 impact statements had been prepared, of which 100 involved projects in operation, and the rest applied to projects under construction or in the planning stage. One major remaining bottleneck was the 900 impact statements needed for maintenance dredging activities. Morris calculated that it would take fifteen years to eliminate this backlog.⁴

The Corps was also busy responding to requests for studies and information from other government agencies. One important report, done at the request of the Office of Management and Budget (OMB), dealt with nontraditional flood control measures. The report, summarized before the

EAB in November, concluded that the federal government could properly become involved in watershed management in order to reduce the effects of flooding, flood proofing, and certain relocations. Cost sharing could be used for these measures as well as for more traditional approvals. Perhaps of more interest, the report advised that the number of favorable reports on Corps projects would increase when traditional and nontraditional approaches were mixed. This, in turn, would actually reduce federal costs because less money would be spent on disaster relief, preparation for flood emergencies, and subsidies for flood insurance.⁵

Irwin Reisler suggested to the EAB that floodplain management had two objectives: (1) utilizing both structural and nonstructural solutions to design and build justified and needed improvements to protect property from flooding, and (2) guiding the development and use of floodplains to serve multiple purposes in the overall public interest. He pointed out that Congress was particularly interested in relieving urban populations from fears of catastrophic flooding, while responding to concerns over the environmental impact of projects in heavily populated areas.⁶



North Ellenville, New York, Flood Control Project, an exercise in urban floodplain management.

The question of flood prevention in urban areas had become critical to the Corps. Even as the EAB met on 6 November, the voters of Eureka, California, voted two to one against the proposed Corps of Engineers Big Butler Dam. San Mateo County officials had already shelved Corps plans for the Worley Flat Dam on the Pescadero Creek. On the other hand, both state and local officials supported a project on Morrison Creek, close to Sacramento, which used natural channels and wetlands rather than concrete structures.⁷ Clearly, the Corps had to look at solutions other than large dams to prevent flooding in urban areas. To do this, the Corps Urban Studies Program had been established. Twenty-eight studies, included in this program in the fall of 1973, covered urban areas scattered around the entire country.⁸ As the program developed, more areas were added.

A week after the November Board meeting, former EAB member Richard Pough complimented General Gribble for the Corps' work on floodplain management. He also paid an unexpected tribute to the Corps:

You have a great organization that has had the wisdom and sensitivity to adjust with remarkable speed to the radical changes that are taking place in the way society looks at the environment. It took the United States Department of Agriculture and the Forest Service forty years to finally admit that Smokey Bear wasn't telling the whole story.⁹

Pough recommended that the Chief have his staff prepare a few questions on topics of concern before each EAB meeting. By responding to these questions, EAB members would provide the most assistance to the Corps.¹⁰

General Gribble liked the idea, and General Morris agreed that there was merit in providing members "the general nature of the issues" which the Corps wished the Board to address in the future.¹¹ At Morris' direction, Colonel Wall, Werner's replacement, drafted eleven questions for the EAB.¹² Of these, four were selected and sent to Roland Clement:

- a. What role should the EAB play?
- b. What is an appropriate U.S. Army Corps of Engineers policy toward Federal and non-Federal development in wetlands?
- c. In view of political and legal constraints, how might the Corps encourage non-traditional flood control approaches in its discussions with the public?
- d. In reviewing environmental impact statements prepared pursuant to NEPA, many people feel the statements should be expanded to fully detail the considerations involved in the planning operation and, in effect, that they should be the decision documents. We view the planning report as being the decision document with the environmental planning being an integral part of the total planning process. Accepting that this is now being done, what is your view of the role of the EIS?¹³

Questions b and c were in fact discussed at the next EAB meeting, held on 26-27 February 1974. Professor McGrath took the lead in responding to both queries. He stressed that wetlands were scarce and delicate resources; therefore, federal policy should oppose development. However, controls often came too late and, once implemented, were frequently violated by the federal agencies. For example, Housing and Urban Development (HUD) insured mortgages in areas where it should not. Answering the second question, McGrath noted the need to educate both Congress and the public. The Corps, he further advised, should provide information, guidance, and enforcement assistance to local agencies. Also, the Corps needed to incorporate other viewpoints in project planning.¹⁴

In keeping with the agreed theme, Gilbert F. White, a nationally known water resources expert, gave a long presentation on floodplain management. General Morris pointed out that although the Corps suggested actions to prevent encroachment on the floodplain, implementation was left to the localities. White encouraged the Corps to have a staff able to present alternatives to traditional solutions, for example, the nonstructural project

on the Charles River in Boston. McGrath emphasized that the Corps should "pose sharp questions" to localities on the validity of local zoning in a floodplain.¹⁵

The EAB's prolonged identity crisis was once more an issue at this meeting. Gribble praised the Board for recommending many changes that had considerably improved Corps environmental policies. The most important problem to which the EAB could now turn, Gribble ventured—departing from the subjects raised in his letter to Clement—was to identify environmental issues and problems the Corps had overlooked. Next, the EAB should provide advice "aimed not only at alleviating or resolving past issues but more importantly, at preventing problems arising in other projects or in general Corps programs." The Chief did not think that the modus operandi of EAB meetings needed to be changed, but he did recommend that time be set aside "for the Board to lecture to the Corps staff." Clement told Gribble that the Corps should bring "focused problems" to the EAB and "allow us sufficiently long lead time so that our reactions and views will not be impromptu." Gilliam warned, however, of developing a "rather long, unmanageable list of tasks" for the Board. It was risky to take up too many cases; the number should be limited.¹⁶

But limiting the number was difficult; there were always too many questions, too many controversies. Before the day was out, Gribble himself raised two more issues for the Board's consideration: (1) How does the concept of mitigation fit the problems faced by the Corps in this area, and (2) What is the jurisdictional responsibility of the Corps once land use regulation is initiated?¹⁷ It was obviously difficult for OCE personnel to decide what were the primary issues the EAB should address. The Chief's extemporaneous remarks about mitigation and land use revealed as much. There was always the temptation to turn to other topics and issues. The confusion was understandable considering the number of legislative and judicial measures to which the Corps had to respond. Any attempt to predict future changes in the environmental field was frustrating at best; often it was impossible. Consequently, planning usually meant responding to immediate pressures rather than long-term concerns.

As a result, it was not easy to keep the EAB out of the controversies of the day. A judicial decision or a new law could significantly affect the future role of the Corps; and the EAB, even if it wanted to, could not consider distant issues as if current problems were irrelevant. B. Joseph Tofani, Chief of the OCE Policy and Analysis Division, warned Board members that they should not be identified with controversial problems: "Be careful of your professional reputation. You are more important as advisors that stay on the sidelines. Be generalists." Gilliam asked, "In other words the EAB should not be a decision body?" Tofani replied, "Correct."¹⁸

Tofani's views were not shared by everyone. Colonel Wall thought that it was futile to keep the Board out of controversial projects. On the contrary, he encouraged members to analyze specific projects and make

recommendations.¹⁹ This was the case at the August meeting in Little Rock, Arkansas. Colonel Joe H. Sheard, Fort Worth District Engineer, talked about the San Antonio Channel project, which employed nontraditional approaches to flood control. One striking aspect of the project was a beautiful walk that bordered and crossed the river at various locations in the middle of town. Alongside the walk were attractive restaurants, shops, and hotels. In response to Clement's questions, Sheard admitted that the initiative for this project came from the city; however, the Corps was being more aggressive in other projects, for instance the Fourche Bayou and Dark Hollow projects in Little Rock.²⁰ Also, Colonel Donald G. Weinert, Little Rock District Engineer, noted various devices used by the Corps to mitigate adverse effects of the McClellan-Kerr Waterway. These devices included two water-oriented parks to enhance historical sites, three green-tree lakes for waterfowl, and comprehensive shoreline management, planned in cooperation with state and local interests, which provided for fifty-eight parks along the Arkansas River.²¹

Impressed by the shoreline management approach, Gilliam asked why such a scheme was not mandated for all Corps projects. He felt strongly that such an effort was essential for a successful project. Colonel Weinert demurred, suggesting that this conclusion went beyond engineering judgment. Wall came to Gilliam's defense, arguing that the Corps often considered nonengineering factors in protecting the overall public interest. Nonetheless, Weinert insisted, the Corps had selfish reasons for doing so: "It gives us a tool to tell a major permit applicant they can't put in a dock or foundry."²²

With the failure of congressional leadership in land use planning, Sharpe argued that states must become more energetically involved. She admitted that there may actually be advantages to this approach since "it is difficult to define what we need nationally." Clement noted that the Corps must accept some responsibility for the education of Congress. Weinert responded that he was nervous about the Corps making value judgments. Clement did not sidestep the objection. "Every decision is a value judgment," he asserted, "and I'm glad you're nervous." Still, Sharpe agreed, many people would not want the Corps making value judgments; however, the Engineers could and should demonstrate alternative solutions.²³

This particular EAB meeting was the first that met in two locations. On 27 August, it met in Little Rock. Then it reconvened on 29 August in Tulsa, Oklahoma. Here, one of the major subjects of discussion was the Corps' responsibility in urban floodplain management. EAB members were particularly interested in discovering means by which the Corps could prevent private developers from changing stream beds before the development of comprehensive plans. The Tulsa District Engineer, Colonel John G. Driskill, thought that the Corps had no role in a "city's judgmental decision-making." McGrath countered that the Corps had an obligation to insist on open discussion of flood problems and solutions. He also proposed that, although half a channel was better than nothing, the Corps and the city

should not encourage a developer without having the plans for the entire flood control project.²⁴

Two subjects raised at the August meeting, fish and wildlife mitigation and maintenance dredging, continued to be discussed when the Board met again in December. The exchange on mitigation in both meetings revealed how little agreement existed on the subject, aside from the common desire to reduce or, if possible, eliminate adverse man-made effects on fish and wildlife. Agreement was impossible, if for no other reason, because definitions were confused and occasionally conflicting. The very word "mitigation" could not be interpreted to everyone's satisfaction. Clement called mitigation a "stopgap solution" which begged the question of the degree to which federal resources should be committed.²⁵ Clearly, zero effect on the environment was the ideal, but hardly realistic. Maybe, as the EAB Chairman suggested, a national policy on land use was required; but Congress was reluctant to sit in the driver's seat.

At a Division Engineers' Conference held between the two EAB meetings, Corps personnel asked basic questions about mitigation policy: What were the real "damages" caused by a specific project? What truly needed to be mitigated? What methods could be employed, and which were considered most favorable to the Corps, the Department of the Interior, the public, and the states.²⁶ These questions, as well as additional comments, were sent to the EAB before the December meeting. Wall, meantime, contacted Lynn Greenwalt, Director of the Fish and Wildlife Service, and invited him or his representative to participate in the next EAB meeting.²⁷ Greenwalt could not come to the December program, but his representatives, Karl Stutzman and Arthur Dickson, gave a detailed presentation of the Department of the Interior's position on mitigation.²⁸

The maintenance dredging issue began in August, when Colonel Wall and Warren Papin of OCE briefed the Board. Clement became suspicious because he interpreted the briefing as an apology for continued expansion of the waterways system.²⁹ In September, after studying the written version of the briefing, he became convinced that it overstated the economic contribution of waterways. He found particularly offensive the statement that "continued economic and population growth *requires* continued expansion of port and associated facilities."³⁰ The Chairman commented that the real problem was the Corps' old dredges. They could not be replaced because of a congressional moratorium pending a clarification of the division of labor between the Corps and private industry. He warned that it was past time for the Corps to recognize plant (mainly vessels) and cost constraints, as well as those of the environment: "the Corps must play a much more impartial role if it wishes to be accepted as the public's servant instead of just another agent of a growth philosophy. . . ."³¹

Two weeks later General Morris, writing on behalf of General Gribble, answered Clement. He stated that any bias toward continued waterway expansion was not the "intended purpose or thrust" of the briefing. Morris

emphasized that the briefing concerned only maintenance of navigation channels in existence before NEPA. As a matter of fact, dredging had been stopped on a few channels and was done in others only to depths required by shallow-draft commercial fishing vessels.³²

A new member of the Board, Brock Evans, Washington Director for the Sierra Club, involved himself in the dredging controversy after he had studied the Morris-Clement correspondence. One sentence from Morris' reply particularly upset him; namely, "It has been our experience that we remain under attack for our maintenance dredging in support of existing waterways from some who would use environmental issues as a cloak to cover their intent to stop all maintenance dredging." Evans reacted strongly. It is "the kind of broad-brush and unfounded statement which should not be coming from officials of a powerful, visible, and highly respected agency such as the Corps of Engineers. . . . I do not think that either the direct statement itself nor the implications from it are justified at all."³³ In response Morris stressed that, although "irrational discussions" with environmental professionals or "sincere opponents" were rare, there were persons who cared little about means as long as their ends were served. These were the people described in the statement.³⁴



**Dorn Charles McGrath, Jr., Chairman
Environmental Advisory Board
1974-1978**

The December meeting was the first for both Evans and Durbin Tabb, an aquatic biologist and the general manager of Tropical Bioindustries Development Company of Miami, Florida. Another significant personnel change was the resignation of Clement, who was honored for his work by both his fellow Board members and General Gribble. McGrath succeeded him as EAB Chairman. Harold Gilliam was now the only charter member

still on the Board. Finally, shortly after the December meeting, Wall was replaced by Lieutenant Colonel John R. Hill, Jr., as Assistant Director of Civil Works, Environmental Programs.

Under Clement's leadership, the Board had gained influence and won added respect from the Corps. Meetings had usually been structured to address specific problems. After Clement's departure, Board agenda tended to be more flexible. Even more attention was given, however, to two issues which had often been of concern to members—urban studies and public participation. Urban studies was of special interest to McGrath, who taught urban planning at George Washington University. Lois Sharpe, active with the League of Women Voters, concentrated on public participation. The two issues dovetailed in the May 1975 meeting after a presentation by Huntington District on two urban studies in Huntington and Charleston, West Virginia. This program involved such key questions as flood control, wastewater management, and fish and wildlife conservation in these urban areas. McGrath, Sharpe, and Gilliam praised the studies, particularly the extent of public involvement. Sharpe emphasized that the term "public" meant more than elected officials. It also included planning agencies, government facilities, civic organizations, and interested citizens.³⁵

The public also included some people who, usually unknowingly but sometimes purposely, issued misleading information about Corps projects. These misstatements had become an increasing burden to the Engineers, and the Corps sought EAB advice on what to do about them. The Board advised Corps officials to respond publicly whenever the Corps was wrongly attacked. Articles, too, should be written explaining the Corps' position. Members discussed Ogburn's draft environmental brochure. The author did not want it published under his name and had suggested it be put out under the imprimatur of the EAB, while Gilliam advised that it be printed under the Corps' name.³⁶ The problem became moot when it was decided not to publish the document at all.

Ogburn was a well-published author on environmental matters, and both the Corps and the EAB had high hopes for a quality product that would be well received by the public. Unfortunately, these hopes were not realized. When Ogburn's thirty-page draft was read, many OCE personnel thought that it was slanted and too long and that it failed to address some of the major criticisms leveled at the Corps. In the words of Hill, "My own impression from reading the latest effort . . . is that if published in anything approaching its present form it will subject us to ridicule among the audience we are trying to reach."³⁷ Morris recollected, "It wasn't worth a damn. And you can put that in the record. It was a poor job. . . . I just didn't think it was worthy of a Corps of Engineer publication."³⁸ Ogburn's contract was not extended, nor did the Corps find an adequate substitute.

An altogether different problem raised by EAB members concerned reorganization within the Office of the Chief of Engineers. Specifically, the reduction of personnel in the Environmental Resources Branch of the Planning Division distressed the Board. Harold Gilliam had already complained

about this in early May. Morris explained that the personnel were simply being spread throughout OCE in order to allow better integration of environmental concerns into the overall program. An environmental planner would be put in each geographical branch within the Planning Division; and Dr. C. Grant Ash, Chief of the Environmental Resources Branch, and his assistant were transferred to the Office of Policy. The intended impact was not to downgrade but to upgrade environmental functions.³⁹ Morris' explanation did not convince Board members, however; and the reduction of the Environmental Resources Branch to a section particularly upset them.⁴⁰ In coming months McGrath continued to express concern about the reorganization. He and his colleagues simply did not believe that the changes had not reduced the "clout" of the Corps' environmental planners.⁴¹ Nevertheless, the reorganization remained intact.

Throughout this time Board members continued to express doubts about their own responsibilities. Little substantive advice on specific projects had been asked of them, nor had they been eager to offer such counsel, at least since the Stoddard years.⁴² Given this situation, it was difficult to agree on the Board's precise role. Still, members obviously felt that continuing contact with the Chief was worthwhile in itself. With justification, they could also take some credit for making the Corps more sensitive to nonengineering solutions.

Continued doubts among Board members raised an interesting question: was the Corps on the verge of becoming a truly environmental organization which no longer needed an advisory board? Some projects which had generated severe criticism of the Corps had been scotched or indefinitely delayed, mainly because of opposition from local interests. This was true with the Worley Flat Dam in California and the Red River Dam in Kentucky. President Nixon had halted construction on the Cross Florida Barge Canal. Meanwhile, the Corps had established with commendable energy a regulatory program to carry out its responsibilities under Section 404 of the 1972 Water Pollution Control Act. This section authorized the Corps to issue permits for the discharge of dredge or fill material into navigable waters. Even such a long-time antagonist as the Natural Resources Defense Council complimented the Corps for its "thoroughness, the efficiency, the tact and dispatch" with which it embraced the 1972 act.⁴³

At the November 1975 meeting, Major General Ernest Graves, the new Director of Civil Works, presented a civil works update which increased self-doubts among EAB members. Graves reported on progress in resolving problems with Lock and Dam 26; the Red River, Kentucky, project; and Tocks Island. The Tocks Island case (upper Delaware River) was particularly revealing since the Division Engineer, Major General James L. Kelly, formerly on the Secretary of the Army's staff, had approved the project after a restudy had been completed. Then, once the Delaware River Basin Commission had decided against the development, Kelly and Gribble both recommended deauthorization.⁴⁴ Therefore, whether through political pressures or

Major General Ernest Graves
Director of Civil Works
1975-1977

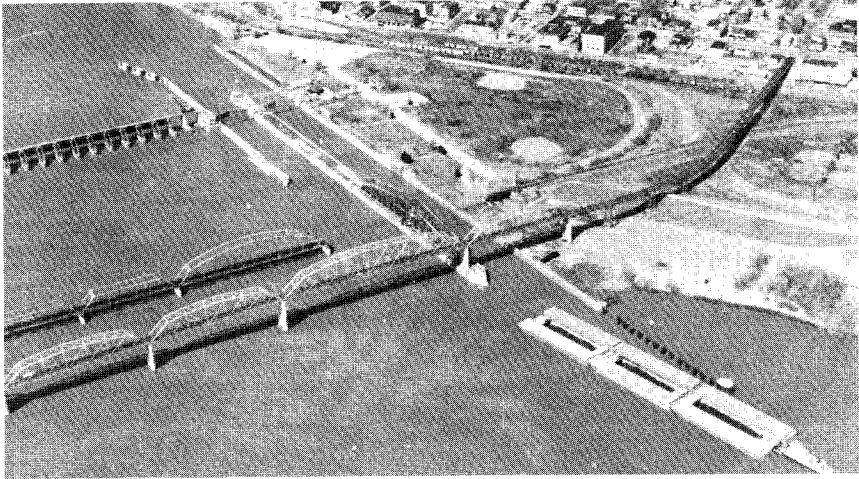


internal examination, problems were being resolved; but it was difficult for the EAB to see how it influenced the process.

Since it had agreed not to involve itself in specific projects, the Board was bound to have a subtle rather than dramatic impact on the Corps. But even having conceded this point, members began to wonder seriously whether they were indeed “window dressing.” Even General Morris, now Deputy Chief of Engineers, who had always supported the EAB as Director of Civil Works, questioned the Board’s future. “My main concern,” he wrote Gribble, “is that it never does anything—I’m not sure it should, but I am sure it costs a lot of money for what we get out of it.”⁴⁵ He recommended that the Board review the Corps’ environmental guidelines and spend less time listening to briefings on such items as regulatory programs, urban studies, and the Endangered Species Act.⁴⁶

The Board’s predicament was dramatized in 1975-76 with the creation of the Corps’ Environmental Action Program (EAP). Established in response to directives of Victor V. Veysey, Assistant Secretary of the Army (Civil Works), the program was designed to make the Corps a leader among federal agencies in conservation and environmental enhancement. It would help the Corps meet national environmental objectives by addressing seven principal areas: new environmental guidelines, better communication with government and nongovernment agencies, increased public involvement, an improved planning process, new technology, new environmental regulations, and new missions.⁴⁷ The Board first learned of the EAP in April 1976 and was naturally interested. Gilliam, who was attending his last meeting, reminded his colleagues that an earlier Board had once recommended local

advisory boards at the District or Division level. Questions still remained about how policy was to be implemented at the District level. Graves stressed that policy would be established only after careful coordination between OCE and the field.⁴⁸ This enigmatic statement did not satisfy the Board. Furthermore, the conclusion was inescapable that the Corps had initiated an internal housecleaning program in the environmental area without meaningful consultation with the Board. Rather, the EAB was simply being offered the opportunity to review a fait accompli.



Old Lock and Dam 26 on the Mississippi River by Alton, Illinois.

Was the Board only to be a traveling colloquy on the relationship of man to nature? Signs pointed that way. For instance, the April meeting was to be used to “gain a better appreciation of the importance of wetlands to man.”⁴⁹ General trends increasingly displaced substantive issues on the agenda. The Board, having gained a voice and exerted some influence, even indirectly, now seemed to be less consulted than ever. Clearly, General Morris, who replaced Gribble as Chief of Engineers on 1 July 1976, faced some basic decisions about the future of the Environmental Advisory Board.